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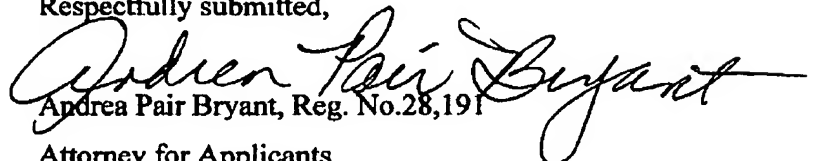
REMARKS

Applicants' attorney thanks the Examiner for his courtesy and helpfulness during their telephone interview on April 2, 2008. During that conversation the rewriting of Claims 6 and 14 to be in independent form was discussed. Further the breadth of claim 1 in view of the prior art developed by the Examiner was touched upon as well as a possible way to narrow it by being more specific in describing the ascertaining step.

Applicants traverse the pertinence of the new references used by the Examiner in making his rejections under 35 USC 103. However, in order to advance the prosecution of the instant application, Applicants have complied with the Examiner's suggestions regarding making certain of the claims in the case describe patentable subject matter. Thus, there is no need for arguments detailing Applicants' perspective on those patents. Suffice it say that Applicants do not agree that US Patent 7,111,248 B2 to Mulvey et al. and US Patent. 6,804,662 to Annau et al. disclose features that alone or in combination with each other and/or any of the other prior art applied render the claims of the present invention obvious.

The Examiner indicated that claims 6 and 14 would be allowable if rewritten in independent form. Then the claims which depended from them, 7 and 15 respectively, would also be allowable. Applicants have amended independent apparatus claim 4 to include the limitations previously set forth in claims 5 and 6, and amended claim 7 to depend from amended claim 4. Similarly, Applicants have amended independent program product claim 10 to include the limitations previously set forth in claims 11 and 13, and amended claim 15 to now depend from claim 10. Applicants, therefore, respectfully request the Examiner to pass the case to issue with four claims remaining.

Respectfully submitted,



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Response to OA 01/07/2008
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